

CITY OF LYNN

**Regular City Council Meeting – January 12, 2016
Council President Daniel F. Cahill, Presiding**

Ten Councillors Present (Councilor Lozzi absent)

Moment of Silence

Pledge of Allegiance

Motion made by Councilor Colucci and seconded by Councilor Cyr to accept the Meeting Minutes of December 15, 2015 and January 4, 2016.

Motion carried.

PUBLIC HEARINGS:

Petition of Enma's Dry Cleaning and Tailoring, Enma Salvadore, for a sign permit at 98 Union Street

The following appeared in Favor:

Representative from O.J. Awnings

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councilor Colucci and seconded by Councilor Trahan to grant the prayer of the Petitioner.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent)

Petition of East Coast Karate and Aerobic Fitness Center, for a sign permit at 312B Union Street.

The following appeared in Favor:

Mary Pangopoulous, 74 Cottage Street

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councilor Chakoutis and seconded by Councilor Barton to grant the prayer of the Petitioner.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent)

Petition of the Neighborhood Restaurant Group, 38,45 Lewis Street, and 0 Blaisdell Terrace for permission for a food establishment where all alcoholic beverages as a Common Victualler, in addition to food are served.

The Following appeared in Favor:

Attorney Sam Vitali

Calvin Anderson, 12 Concord Street, Lynn

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councilor Cyr and seconded by Councilor Trahan to grant the prayer of the Petitioner.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent)

Petition of VN Market, Dinora Miranda, for permission for a sign permit at 207 Washington Street.

No one appeared in Favor.

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councilor Chakoutis and seconded by Councilor Capano to TABLE.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

PUBLIC HEARINGS TO BE SET DOWN:

-Petition of Lechonera Bonao, Jose Luis Acosta, for permission for a Restaurant (Food Establishment) at 680 Western Avenue (Capano).

-Petition of Dollar Tree, NH Signs, for permission for a sign permit at 102 Boston Street (Chakoutis).

-Petition of National Grid, Rafael Panos, for permission to install approximately 7'+/- of 1-3" conduit from existing pole, P 1-2 Huss Court to the property of 150 South Common Street to provide electrical service to existing church (Capano).

Motion made by Councilor LaPierre and seconded by Councilor Colucci to set down for Public Hearings.

Motion carried.

COMMITTEE REPORTS:

Report of the January 12, 2016 Committee on Ordinance and Rules recommending the following to be accepted:

Discussion re: ISD Update

Motion made by Councilor Barton and seconded by Councilor Capano to refer the city's Graffiti Ordinance to the Solicitor's Office to work with Deputy ISD Director for restructure and return recommendations back to the Ordinance Committee for review.

Motion carried.

OTHER BUSINESS:

CHAKOUTIS/CAHILL Motion to refer the following regulation to the City of Lynn Traffic Commission for action pursuant to Section 3:00 of the Acts Providing for the Establishment of a Traffic Commission in the City of Lynn:

Section 1:00 Parking Meters – Hours of Operation

Street parking meters shall be in operation and enforced between the hours of 8:00 a.m. through 6:00 p.m. Monday through Saturday with no enforcement on State and Federal Holidays and Sundays.

Section 2:00 Fines

The Parking Director shall set the parking meter rates in the City of Lynn and set the fines for violating said Ordinance.

Motion made by Councilor Barton and seconded by Councilor Capano to forward to the Traffic Commission.

Motion carried.

Motion to set down a Public Hearing on an Ordinance Amending an Ordinance Relative to the Terms and Conditions of Employment for the Chief of the Department of Inspectional Services.

Motion made by Councilor Barton and seconded by Councilor Capano to set down for Public Hearing on February 9, 2016.

Motion carried.

REPORT ACCEPTED.

Report of the January 12, 2016 Committee on Finance recommending the following to be accepted:

Ordered that the City Comptroller take the following actions:

Transfer the sum of Two Hundred Seventy One Thousand Dollars (\$271,000.00) from the Reserve Account to various Police Payroll Accounts.

Councillor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to a financial transfer in the amount of Two Hundred Seventy One Thousand Dollars (\$271,000.00) from the Reserve Account to various Police Payroll Accounts

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent)

Emergency Order was then adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent)

Transfer the sum of Forty Thousand Dollars (\$40,000.00) From the Mayor Support Payroll Account to the ISD Expense Account.

Councillor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to a financial transfer in the amount of Forty Thousand Dollars (\$40,000.00) from the Mayor Support Payroll Account to the ISD Expense Account.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent)

Emergency Order was then adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent)

Transfer the sum of Six Thousand Three Hundred Thirty Five Dollars and Nineteen Cents (\$6,335.19) from the DPW Expense Account to Unpaid Bills of Prior Year.

Councillor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to a financial transfer in the amount of Six Thousand Three Hundred Thirty Five Dollars and Nineteen Cents (\$6,335.19) from the DPW Expense Account to Unpaid Bills of Prior Year.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent)

Emergency Order was then adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent)

Certify as an "Available Fund" the amount of One Hundred Sixty Seven Thousand Two Hundred Eighty Seven Dollars and Zero Cents (\$167,287.00) as allotted to the City of Lynn Fire Department by the Executive Office of Public Safety and Security (EPS) for the FY 16 State 911 Support and Incentive Grant. Grant Period 12/14/15 to 6/30/16.

Councillor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to a financial order certifying as an "Available Fund" the amount of One Hundred Sixty Seven Thousand Two Hundred Eighty Seven Dollars and Zero Cents (\$167,287.00) as allotted to the City of Lynn Fire Department by the Executive Office of Public Safety and Security (EPS) for the FY 16 State 911 Support and Incentive Grant. Grant Period 12/14/15 to 6/30/16.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent)

Emergency Order was then adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent)

Certify as an "Available Fund" the amount of Four Thousand Dollars and Zero Cents (\$4,000.00) as allotted to the City of Lynn Police Department by the Executive Office of Public Safety and Security (EPS for the FY 16 Traffic Enforcement Grant Mobilization #1. Grant period 12/9/15-1/2/16.

Councillor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to a financial order certifying as an "Available Fund" the amount of Four Thousand Dollars and Zero Cents (\$4,000.00) as allotted to the City of Lynn Police Department by the Executive Office of Public Safety and Security (EPS for the FY 16 Traffic Enforcement Grant Mobilization #1. Grant period 12/9/15-1/2/16.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent)

Emergency Order was then adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent)

Certify as an "Available Fund" the amount of Twenty Five Thousand Nine Hundred Seven Dollars and Zero Cents (\$25,907.00) as allotted to the City of Lynn Office of Economic and Community Development by North Shore Workforce Investment Board for Youth Works Year Round Jobs.

Councillor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to a financial order certifying as an "Available Fund" the amount of Twenty Five Thousand Nine Hundred Seven Dollars and Zero Cents (\$25,907.00) as allotted to the City of Lynn Office of Economic and Community Development by North Shore Workforce Investment Board for Youth Works Year Round Jobs.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent)

Emergency Order was then adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent)

Certify as an "Available Fund" the amount of Six thousand Five Hundred Dollars and Zero Cents (\$6,500.00) as allotted to the City of Lynn Department of Public Works (DPW) by the Department of Environmental Protection (DEP) for a Sustainable Materials Recovery Program Municipal Grant aka Drop Of Grant. Grant period 12/15/15-6/30/16.

Councillor Net attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to a financial order certifying as an "Available Fund" the amount of Six thousand Five Hundred Dollars and Zero Cents (\$6,500.00) as allotted to the City of Lynn Department of Public Works (DPW) by the Department of Environmental Protection (DEP) for a Sustainable Materials Recovery Program Municipal Grant aka Drop Of Grant. Grant period 12/15/15-6/30/16.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent)

Emergency Order was then adopted by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent)

REPORT ACCEPTED.

Report of the January 12, 2016 Committee on Licensing recommending the following to be accepted:

TAXI OPERATORS (NEW)

Bueno, Fernando, 185 N. Common St. #20- **Granted**

Deschene, Richard Michael, 4A Ober St., Beverly- **Granted w/30-60-90 Day Review**

Holguin-Gonzalez, Juan, 26 Harwood St. #9- **Tabled**

Muiruri, Alex Kimani, 15 Franklin St. Apt. #14- **Granted**

Nova, Felix, 158 Chestnut St. #3-**Tabled**

Papagikos, Marc, 53 Whiting St.- **Tabled**

Pijuan, Nivardo, 13 Lynnfield St. - **Granted**

Power, Timothy J., 27 Flint St. - **Granted**

Quinones, Abimael, 304 Essex St., Swampscott – **Granted**

Adrianna Gonzalez, Lynn - **Granted**

SECOND-HAND ARTICLE-RENEWAL

101 Commercial St., My Son's Store

508 Lynnway, Lynnway Tools & Collectibles

810 Lynnway Lynn Wireless- **Granted**
 810 Lynnway, Burgos Fashion Boutique- **Granted**
 810 Lynnway, We Buy Gold 24- **Granted**
 53 Market St., Black Friday Year Round- **Granted**
 46 Ocean St., The Yard Sale- **Granted**
 39 Savory St., Quality Quest- **Granted**

SIGN-RENEWAL

118 South Common St., Cibao Market- **Granted**

OLD GOLD SILVER-RENEWAL

508 Lynnway, Lynnway Tools & Collectibles- **Granted**

810 Lynnway, We Buy Gold 24- **Granted**

62 Market Sq., All Checks Cashed, Inc. - **Granted**

CLASS II AUTO DEALER/AUTO BODY/AUTO REPAIR/FLAMMABLE – RENEWAL

8 Burrus Sq. – Meadow Park Auto Sales- **Granted**

CLASS II AUTO DEALER/AUTO REPAIR/FLAMMABLE – RENEWAL

592-596 Lynnway – The Hertz Corporation dba Hertz Car Sales- **Granted**

811 Lynnway – Far East Exports, Inc. dba North Shore Auto Mall- **Granted**

AUTO REPAIR/FLAMMABLE LICENSE – RENEWAL

637 Lynnway – Sullivan Tire- **Granted**

OTHER BUSINESS:

Councilor Cyr had concerns with delinquent taxes. Motion made by Councilor Cyr and seconded by Councilor Trahant to request the Solicitor's Office to draft a policy with respect to delinquent municipal taxes and refer it back to the License Committee.

Motion carried.

REPORT ACCEPTED.

NEW BUSINESS:

Motion made by Councilor Capano and seconded by Councilor Walsh to forward a letter to the Boston Globe expressing the city's dissatisfaction with the delivery of the paper and its current work practices with its employees .

Motion carried by the following yea and nay vote:

10 YES 0 NO

Councilor LaPierre stated that the issue with the pool stairs at the YMCA has been resolved. Council President Cahill stated that Councilor Hong and Councilor Capano have been working with city officials and YMCA officials for a larger YMCA.

Motion made by Councillor Colucci and seconded by Councillor Trahan to adjourn.

Notice of this meeting was posted in the City Clerk's Office at least forty-eight (48) hours in advance.

A True Copy Attest:

CITY CLERK